

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

Victoria Griswold

*Debtor(s)*

: Bankruptcy Case No. 21-10308-TPA

: Chapter 13

**PLAN CONFIRMATION ORDER**

**AND NOW**, this **11th** day of **August, 2021**, it is hereby **ORDERED, ADJUDGED and DECREED**, with the consent of all the Parties in attendance, as follows:

**A** The Chapter 13 Plan dated **June 21, 2021**, except as modified herein as numbered, below, is **CONFIRMED** in accord with **11 USC 1325**. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court.

**1.** For the remainder of the Plan term, the periodic Plan payment is to be **\$852** as of **August, 2021**. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.

**2.** The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:

Claimant: **Deutsche Bank**. Claim Number: **5**

**3.** The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:

Claimant: **PHFA-HEMAP continuing debt**. Claim Number: **2**

**B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**1. Objections to the Plan:** This Order is effective as of the date indicated below. Pursuant to **Fed.R.Bankr.P. 2002(b)**, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may only disburse funds pursuant to this confirmation order upon expiration of the foregoing twenty-eight (28) day period.

**2. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**3. Review of Claims Docket and Objections to Claims.** Pursuant to **LBR 3021-1(c)(2)**, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**4. Motions or Complaints Pursuant to §§506, 507, or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to **11 U.S.C. §§506, 507 and 522** shall be filed within ninety (90) days after the claims bar date.

**5. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, Revised 7/26/2021

avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

**C IT IS FURTHER ORDERED THAT:**

**1.** Plan terms are subject to the resolution of: timely but yet to be filed claims including government claims; all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.

**2.** Following payment of allowed secured and priority claims the allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.

**3.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**4.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**5.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**6.** Debtor(s) shall file an Amended Schedule I and/or J in the event of:

(a) Household income increases by 10% or more over most the recently filed Schedule I, because of new employment, promotion, or otherwise.

(b) A reduction in payroll withholding (including any Domestic Support Obligation and retirement loan(s) repayments), or a 10% or more reduction of any line item expense on Schedule J.

(c) Any indicated increase in disposable income as a result of an increase in income or decrease in payroll withholding or Schedule J expense (and the fund created for the benefit of general Unsecured Creditors) is retroactive to the date of the payoff of the obligation, decrease in expense, or increase in household income.

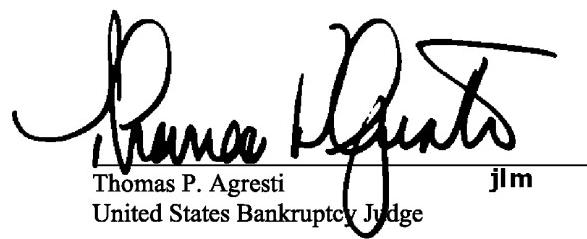
**7.** Debtor(s) shall provide Trustee annual tax returns and statements of income and expenses, in accordance with Section 521(f) and (g), and shall file an amended plan reflecting any increase in disposable income retroactive to date of increase.

**8.** Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**9.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.

**10.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.

**11.** Any prior Confirmation Order entered in this matter is **VACATED**.



Thomas P. Agresti  
United States Bankruptcy Judge  
jlm

cc: All Parties in interest to be served by Clerk in seven (7) days

In re:  
Victoria Ann Griswold  
Debtor

Case No. 21-10308-TPA  
Chapter 13

District/off: 0315-1  
Date Rcvd: Aug 11, 2021

User: jmar  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 21

The following symbols are used throughout this certificate:

**Symbol      Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

## CERTIFICATE OF NOTICE

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 13, 2021:**

<b>Recip ID</b>	<b>Recipient Name and Address</b>
db	+ Victoria Ann Griswold, 827 Mercer Road, Franklin, PA 16323-4627
15381000	+ Deutsche Bank National Trust Company, 3217 S. Decker Lake Drive, Salt Lake City, UT 84119-3284
15395030	Deutsche Bank National Trust Company, c/o Select Portfolio Servicing, Inc., P.O. Box 65250, Salt Lake City UT 84165-0250
15394567	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
15381006	+ Wells Fargo Dealer Services, Po Box 71092, Charlotte, NC 28272-1092

TOTAL: 5

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

<b>Recip ID</b>	<b>Notice Type: Email Address</b>	<b>Date/Time</b>	<b>Recipient Name and Address</b>
cr	+ Email/PDF: rmscedi@recoverycorp.com	Aug 11 2021 23:25:54	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15380997	Email/Text: g20956@att.com	Aug 11 2021 23:13:00	AT&T Mobility, PO Box 6416, Carol Stream, IL 60197-6416
15400552	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Aug 11 2021 23:25:50	Ally Bank c/o AIS Portfolio Services, LP, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
15380996	+ Email/Text: ally@ebn.phinsolutions.com	Aug 11 2021 23:13:00	Ally Financial, P.o. Box 380901, Bloomington, MN 55438-0901
15380998	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Aug 11 2021 23:25:44	Capital One Bank Usa N, Po Box 31293, Salt Lake City, UT 84131-0293
15380999	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Aug 11 2021 23:13:00	Comenity Bank/Blair, Po Box 182120, Columbus, OH 43218-2120
15381001	Email/Text: G06041@att.com	Aug 11 2021 23:13:00	Directv, 2230 E. Imperial Highway, El Segundo, CA 90245
15382731	Email/Text: G06041@att.com	Aug 11 2021 23:13:00	Directv, LLC, by American InfoSource as agent, PO Box 5072, Carol Stream, IL 60197-5072
15381002	+ Email/Text: bknotice@ercbpo.com	Aug 11 2021 23:13:00	Enhanced Recovery Co, Po Box 57547, Jacksonville, FL 32241-7547
15381003	+ Email/Text: lalusher@galaxyfcu.com	Aug 11 2021 23:13:00	Galaxy Federal Credit Union, 1313 Liberty Street, Franklin, PA 16323-1528
15392476	+ Email/Text: bankruptcy@scccompanies.com	Aug 11 2021 23:12:00	Massey's, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
15386955	+ Email/Text: bankruptcy@scccompanies.com	Aug 11 2021 23:12:00	Masseys, PO Box 2822, Monroe, WI 53566-8022
15381004	+ Email/PDF: cbp@onemainfinancial.com	Aug 11 2021 23:25:49	Onemain, Po Box 1010, Evansville, IN 47706-1010
15381005	+ Email/Text: blegal@phfa.org	Aug 11 2021 23:13:00	PA Housing Finance Agency, 2101 N. Front Street, Harrisburg, PA 17110-1086
15389278	+ Email/Text: blegal@phfa.org	Aug 11 2021 23:13:00	Pennsylvania Housing Finance Agency/HEMAP,

District/off: 0315-1

User: jmar

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Date Rcvd: Aug 11, 2021

Form ID: pdf900

Total Noticed: 21

15381237

+ Email/PDF: gecsed@recoverycorp.com

Aug 11 2021 23:25:44

211 North Front Street, PO BOX 15206,  
Harrisburg, PA 17105-5206

Synchrony Bank, c/o of PRA Receivables  
Management, LLC, PO Box 41021, Norfolk, VA  
23541-1021

TOTAL: 16

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Deutsche Bank National Trust Company, as trustee,
cr	*+	Ally Bank, c/o AIS Portfolio Services, LP, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	*+	Pennsylvania Housing Finance Agency/HEMAP, 211 North Front Street, PO BOX 15206, Harrisburg, PA 17105-5206

TOTAL: 1 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 13, 2021

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 11, 2021 at the address(es) listed below:

Name	Email Address
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Daniel P. Foster

on behalf of Debtor Victoria Ann Griswold dan@mrdebtbuster.com  
katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com

Leon P. Haller

on behalf of Creditor Pennsylvania Housing Finance Agency/HEMAP lhaller@pkh.com  
dmaurer@pkh.com;lrynard@pkh.com;mgutshall@pkh.com

Maria Miksich

on behalf of Creditor Deutsche Bank National Trust Company as trustee, on behalf of the holders of the Soundview Home Loan Trust 2005-1 Asset-Backed Certificates, Series 2005-1 mmiksich@kmllawgroup.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmeccf@chapter13trusteedpda.com

TOTAL: 5